

MINUTES
TOWN OF EAST FISHKILL
TOWN BOARD MEETING
FEBRUARY 28, 2019
7:00 p.m.

REGULAR BOARD MEETING

The Town of East Fishkill's Town Board Meeting on February 28, 2019 was called to order at 7:00 p.m. by Supervisor D'Alessandro with the Pledge of Allegiance to the Flag.

Supervisor's Announcements

Supervisor D'Alessandro met with the towns of Poughkeepsie, Beacon, Wappingers, Fishkill, and Lagrange to discuss the water and sewer needs. They are starting to put together mapping of all of the municipalities wells, infrastructure, and aquifers. They will be working with a mutual engineering company to see if they can put together the mapping. There will also be aquifer protection laws that will be implemented among all the towns. The scope is working out very well. They all have the same desires and needs of their communities.

Supervisor D'Alessandro met with Behan Consulting Firm regarding the moratorium on the I-Zones, and they are requesting some clarification on items and then will give the Board a complete review of their assessment and opinions. That will be done at the March workshop.

At the end of last month the Town attended the Dutchess County Chief of Police Association Dinner. They installed the new officers and our Chief of Police, Matt Orsino, has been installed as their president. Our Lieutenant, John Wood was installed as the treasurer. Supervisor D'Alessandro congratulated them both. Councilman Marinaro and Supervisor D'Alessandro had a Police Department Head Meeting. Things are moving forward with the canine. A generous anonymous donation was made towards the canine purchase. The PBA has done a perfect job in getting donations for this program also. Dutchess County Legislator John Metzger has been working on a shared services grant for the vehicle for the canine. Supervisor D'Alessandro thanked all who have been involved.

There was another Business and Economic Development Committee meeting that was attended by Councilman Marinaro and Supervisor D'Alessandro. There was a guest speaker from Dutchess County Tourism and the Commissioner from Dutchess County Planning. They discussed ways that tourism could help economic development within the town. Dutchess County is impressed with the zoning amendments that will be voted on at this meeting. The process has taken a while but will provide a more encompassing law. He thanked the Town Board, the committee, and all the professionals who have worked on this. They also

discussed grants and local business outreach at this meeting. A postcard was developed and sent to all the businesses in town describing what the committee does. A link was provided to both gather and disperse information.

Supervisor D'Alessandro has met with people regarding the East and West complexes.

At the beginning of the month there was a meeting with some of the residents of Worley homes regarding the proposed water system. It has taken longer than they had hoped but there is a resolution for the purchase of the system on tonight's agenda. He appreciates the residents who have been working to support this plan.

There was a quarterly meeting with Wappingers Central School District. This has provided a great time for sharing information. He thanked the Superintendent's office for initiating these meetings.

Supervisor D'Alessandro had a meeting with Dutchess County Emergency Response Coordinator Dana Smith, Deputy Coordinator Ken Roman, and Chief of Police Orsino. Dutchess County dispatchers will be helping our local dispatchers. The County is not able to handle the dispatching of East Fishkill's call volume at this time. In the future there might be the possibility of a shared service but it is not on the radar as of now. There are large costs involved. We are grateful for all that they do.

There was a big meeting this month with the EPA and our Town Professionals about the waterline project going up Route 82. Many meetings were postponed due to the government shutdown and they are starting back up again now. There has been a discrepancy regarding the reimbursement amount from the EPA. The EPA says there are no contracts to be signed. It is all done on a handshake and that is making it very difficult to borrow money when there is no contract in place for repayment terms. At this point, the costs have nearly doubled from when this project was originally discussed several years ago. They did discuss and agree upon a final figure and hopefully it will now move forward again. There was also a meeting with Fishkill regarding the water to be purchased from them. There is the possibility of expanding the quantity of water to be purchased from them. East Fishkill did request to purchase 500,000 gallons from Dutchess County and the agreement has not come through yet.

(There appears to be a skip in the taping of the minutes and it jumps from this conversation to Supervisor D'Alessandro reading a letter regarding Griffin's Tavern)

Supervisor D'Alessandro stated he appreciated the letter from the Historical Society. The Town feels that moving the building is not demolishing it, but preserving its history.

The library invited the Supervisor for a visit and tour of the facility. They discussed how the Town could help the library as well as reciprocal agreements.

Congressman Sean Patrick Maloney's office has contacted the Supervisor regarding a \$4 million investment into the state of New York from FEMA to fund the construction of a micro-grid to provide electricity to the four corners electrical

service area. Any questions can be directed to the congressman's office. The town professionals and supervisor met with Stephen Gruber from Renewage regarding the Hillside Lake Storm Water Filtration Project grant. They did discuss when this would begin. They have been lowering the level of the lake. They need it as low as possible to perform the work. The town contribution towards a grant is approximately \$250,000 making it approximately \$1.2 million towards this project. The bulk of the work will happen this summer. There will be weekly Go To Meetings with Stephen Gruber and the town professionals to make sure all tasks are being completed. DEC Dam Safety has contacted the Town and is waiting for the annual safety inspection, which is being performed currently. Yesterday the Deputy Supervisor, Councilman Beephan and Supervisor D'Alessandro attended the County Executive state of the County address with our local representation. They discussed the new County Park, which will be called the Lake Walton Preserve. It will be a 200+ acre County Park that will be all-inclusive passive recreation. Yesterday Deputy Supervisor Cassidy, Attorney Wood, and Supervisor D'Alessandro met with the Board of Fire Commissioners to discuss any ongoing events. He thanked all the volunteers for everything they do.

Roll Call: Supervisor D'Alessandro asked Town Clerk Hurray to call the rolls.

Board Members in Attendance were

Anil	Peter	Thomas	Emanuele	Nicholas
Beephan	Cassidy	Franco	Marinero	D'Alessandro

Also in attendance were:

Tom Wood, Attorney; Scott Bryant, Engineer; Planner Michelle Robbins, Chief of Police Orsino, Highway Superintendent Williams, and Mark Pozniak, Comptroller.

Public Hearing:

1. Open Adjourned Zoning Amendments Law

Motion to open the adjourned Public Hearing: Board Member Beephan. Seconded: Board Member Marinero. All voted in favor. Motion carried.

Supervisor D'Alessandro stated they been working on zoning amendments for the past eight months. They have been discussing the Hopewell Hamlet and Route 52 Corridor Revitalization Special Permit.

Michelle Robbins stated they are hoping this will revitalize these areas by allowing residential uses and mix uses in these corridors. It will mainly pertain to the downtown business sections and there are special locations that this permit would apply to. In Hopewell, the Hamlet is from Trinka Lane to Orchard Place. Based on

feedback from the Economic Development Committee and the Town Board it will be extended from Fishkill Plains to the Recreation Center along Route 376 for properties fronting Route 82 and Route 376. There are several conditions the properties have to meet. They have to have parking and some sort of design guidelines that are being proposed. Essentially it will allow residential above ground floor commercial or a mixed-use parcel where there is a residential as well as, commercial use on the same parcel. That will hopefully revitalize and improve some of the properties in the Hamlet as well as on the Route 52 corridor.

Supervisor D'Alessandro said this does not skip the Planning Board or Architectural Review Board processes. He stated people are saying the town center will be in iPark and that will not happen. The town center will remain in Hopewell. This is to help ensure that the town and businesses survive and thrive.

Supervisor D'Alessandro asked if there was anyone from the Board with questions or comments. Board member Beephan asked if after this process was started there would be some way to notify the Fire District as to which properties now have residential above it. Supervisor D'Alessandro stated that every single project goes before the FAB so they get a say in it and they, in turn, forward it to the Fire District. Board Member Marinaro stated this is something that has been long needed in the town he believes it is one of the greatest things they have put together. His only concern is addressing traffic on Route 82. Supervisor D'Alessandro asked Ms. Robbins if there was any notice on grants. Ms. Robbins said due to the government shutdown they have not heard anything yet. Supervisor D'Alessandro stated that they did apply for grants for traffic improvements down the Route 82 corridor and in the Hamlet from Trinka Lane to Unity and a bypass road that will go to Fishkill Road. They are waiting to see if they will get approved for those bonds and if so then they will start commencing public hearings and talk with business owners about this. He stated he did have some concerns. His first is regarding mixed-use building in mixed-use parcel having at least 50% of its first floor as retail. His concern is having an overage of retail space He asked if there was a way to have the standard go to the ZBA for relief and Attorney Wood said yes. Attorney Wood stated the ZBA would be very involved, as current buildings probably won't fit right into the dimensional requirements right away also.

Board Member Marinaro stated that originally they were thinking of not allowing certain types of businesses to be located in the first floor areas. Ms. Robbins stated the way the permit is written the businesses allowed now are what are currently permitted in Town. Attorney Wood said that would be the B1 uses.

Supervisor D'Alessandro stated that on page 5, C there's a typo regarding maximum height being three stories, not four. Also section E, lot coverage to be 50% not 75%. Attorney Wood stated they were going to clarify that a recreation fee is required with respect to any residential units. That amount will be determined by the Town Board. That should be section H. That goes into a

recreation fund for upgrading existing recreation on the assumption that apartments will not be constructing any recreation facilities on site so they should make a contribution to the general town recreation facility.

Michelle Robbins wanted to mention a revision to the Shared Driveway Special Permit. That is just cleaning up the existing Shared Driveway Special Permit. This revision affects only properties in the New York City DEP watershed because they want to encourage shared driveways where they don't have impervious surfaces so that will hopefully help with water quality.

Board Member Marinaro asked Ms. Robbins to review the shared parking and street parking. He asked if this was something they were going to be putting in place. Attorney Wood stated that anyone wanting to add additional apartments would have to prove that there is sufficient parking on that site for that. It is not a requirement but an encouragement to the applicants.

Supervisor D'Alessandro asked if there was anyone from the public to speak for or against this.

Keith Dimaso asked if the 50-foot setback was from the curb to the dwelling and Ms. Robbins said yes it went from the edge of the property line to the building. Mr. Grasso stated he hopes this works with the Route 82 modification so there will be no left-hand turns. He stated if someone wants to make a left-hand turn with only a 50-foot setback it will jam up the rest of the parking lot. Supervisor D'Alessandro stated that when they do the road improvements if they do two roundabouts they would close out the middle lane so that you could not make a left-hand turn. Attorney Wood stated that all applications that come in have to go to the Planning Board and part of that process is an analysis of how the parking and access in and out of the site will work. The 50-foot is a minimum. After the traffic study, that can change. Ms. Robbins stated that after a traffic study is done, depending on where new development is done, they might have to make some adjustments or restrictions on left-hand turns. Mr. Dimaso asked if there was adequate easement on either side of Fishkill Avenue as that traffic will increase also. Attorney Wood stated there is a new proposal for a bypass road. There is an interim traffic control proposed that would limit the turning coming out of Fishkill Road onto Route 82. It will be implemented at the DOT's discretion once they decide that it's time for it at that intersection. Supervisor D'Alessandro stated they do have an application for a grant regarding installation of rotaries and they did have a discussion at a workshop last year and he will hold another one so that everything is up to date on what is going on. Attorney Wood stated it is ultimately the DOT's decision.

a. Close Public Hearing

Motion to close the Public Hearing: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

- b. Adopt Negative Declaration and Law as amended

Local Law 3 of 2019

“Hopewell Hamlet and Route 52 Corridor Revitalization Special Permit”

A. Authority of the Planning Board

Authorization is hereby granted to the Planning Board, Town of East Fishkill, to approve the Hopewell Hamlet and Route 52 Corridor Revitalization Special Permit provided that the Board finds that the application meets all the general conditions of Article IX and further meets all the applicable conditions set forth in this section.

B. Purpose

- 1) The Hopewell Hamlet and Route 52 Corridor Revitalization Special Permit was created to support the development and revitalization of the Town’s two main commercial corridors by permitting mixed use development.
- 2) It is the intent of this section is to allow the Planning Board the authority to:
 - a) Accommodate mixed use buildings with neighborhood-serving retail, service, and other non-residential permitted B-1 uses on the ground floor and residential units above the nonresidential space.
 - b) Accommodate mixed use parcels with a combination of permitted B-1 nonresidential uses and residential uses on the same lot where at least 50 percent of the uses on the parcel are non-residential.

Definitions

“Mixed Use Building” A building in which at least half (50 percent) of the ground floor square footage facing the street is used for retail or restaurant uses, and other ground-floor and upper-floor space is used for other commercial uses or multi-family dwelling units.

“Mixed Use Parcel” A combination of residential and nonresidential uses on the same lot where at least 25 percent of the uses on the mixed use parcel are non-residential.

C. Standards.

1) Compliance with applicable law. Prior to issuance of the Hopewell Hamlet and Route 52 Revitalization Special Permit the applicant shall have complied with all applicable local requirements, rules or regulations as set forth below.

(2) Standards.

a. Location. The Hopewell Hamlet and Route 52 Revitalization Special Permit shall only be approved for the following properties:

1. Hopewell Hamlet Area: Properties fronting Route 82 within the Hopewell Hamlet between Trink Lane and Orchard Place and properties fronting Route 376 in the Hopewell Hamlet between Fishkill Road and Unity Street.

2. Route 52: Properties located within the business districts with a minimum of 200 feet of frontage along the Route 52 corridor between Lime Kiln Road and the west side of Corporate Park Drive.

b. Sewer/water connection. All applications are required to connect to central sewer and water.

c. Building Height and Floor-to-Floor Heights. Building height shall be measured in number of stories excluding attics. The maximum building height shall be 3 stories. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor commercial function which must be a minimum of 11 feet with a maximum of 25 feet.

d. Building Setbacks & Lot and Building Coverage.

1. **Front**: The minimum front yard setback, at the discretion of the Planning Board, may be reduced to zero feet, provided

that the minimum sidewalk width from the curb to the building facade shall be a minimum of eight feet, inclusive of any street tree or planting row. In no case shall the sidewalk width be less than five feet.

2. **Rear:** The minimum rear setback is 15 feet except for parcels abutting a residential district which require 20 feet.
 3. **Side:** the minimum side yard setback is 5 feet except where a Business District abuts a Residential District, there shall be a minimum side yard of 20 feet in the Business District abutting the Residential District
 4. **Lot Coverage Maximum:** none
 5. **Building Coverage:** 80 percent maximum
- e. **Parking.** Parking shall be the same as required in the Off-Street Parking schedule, Section 194, Attachment 4. Off-street parking spaces must be located to the rear or side of the principal building or otherwise screened so as to not be visible from public right-of-way. Shared parking, on-street parking, and the use of public parking lots are encouraged and may be used to meet parking requirements at the discretion of the Planning Board. Appropriate legal controls shall be required to ensure that shared parking is available during the existence of the use or building.
- f. Requirements for Mixed Use residential dwelling units.
1. **Size:**
 - i. **Minimum Size:** 600 sf
 - ii. **Maximum Size:** 1,200sf
 2. **Doors and Entrances**
 - i. All mixed use buildings must have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement.
 - ii. Mixed use building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.
 - iii. Entrances to ground-floor dwelling units must be located on the side or rear of the building, not from any side facing

the street, or the entrance to a residential use may be from a first-floor lobby serving other uses in the building.

- g. Site and Building Design. The following design standards shall apply to all uses which require site plan approval. These standards shall apply to new construction as well as alterations. The Planning Board may waive these requirements for the alteration of existing buildings where it determines that based on the unique characteristics of the property, or in the interest of preserving an historic building, a variation in these standards would achieve the intent of the Hopewell Hamlet and Route 52 Revitalization Special Permit.
1. Building Orientation: All new mixed use buildings shall be oriented to public streets. Building orientation is demonstrated by placing buildings and their public entrances close to streets so that pedestrians have a direct and convenient route from the street sidewalk to building entrances. Offstreet parking or vehicular circulation shall not be placed between buildings and streets used to comply with this standard.
 2. Building Frontage: A building with a width of 50 feet or wider along any street frontage shall be articulated, reducing its apparent size. The mass of a building shall be broken up using a variety of massing changes and/or architectural details such as changes in building height, divisions or breaks in materials, window bays, separate entrances and entry treatments, variation in rooflines, awnings, storefronts, changes in building height, and sections that project or are recessed up to 10 feet. The Planning Board may waive this requirement where it determines that the proposed use and building design are consistent with the goals and objectives of the Special Permit.
 3. Differentiation Between Stories: Differentiation shall be provided between ground-level spaces and upper stories. For example, bays or balconies for upper levels, and awnings, canopies or other similar treatments for lower levels can provide differentiation. Variation in building materials, trim, paint, ornamentation, windows, or other features such as public art, may also be used.
 4. Well maintained landscape areas and publicly accessible green space shall be integrated into site plans whenever possible.
 5. Mechanical equipment shall be located and operated so as to minimize visual, auditory or other disruptive impacts on the neighboring properties.
 6. Opportunities for municipally controlled parking and/or shared parking arrangements between private entities shall be encouraged.
 7. During site plan review, the Planning Board may require vehicle or pedestrian interconnections between neighboring properties in order to protect the safety of the public and to reduce congestion.
 8. Sidewalks are required along the primary street frontages.

- h. Architectural Review Board Referral. Hopewell Hamlet and Route 52 Revitalization Special Permit applications shall be referred to the Architectural Review Board.

- i. The Zoning Board of Appeals shall have the authority to vary the mixed use requirements but not less than 10%.

ADD Transitional Zone Residential Special Permit

“Transitional Zone Residential Special Permit”

A. Authority of the Planning Board

Authorization is hereby granted to the Planning Board, Town of East Fishkill, to approve the Transitional Zone Residential Special Permit provided that the Board finds that the application meets all the general conditions of Article IX and further meets all the applicable conditions set forth in this section.

B. Purpose

The Transitional Zone Residential Special Permit was created to allow multi-family residential use by special permit within the B1-A transitional business zone to support the economic revitalization of the Town’s commercial zones, a mix of uses, and the development of a broader range of housing types within the Town.

C. Standards.

- 1) Compliance with applicable law. Prior to issuance of the Transitional Zone Residential Special Permit the applicant shall have complied with all applicable local requirements, rules or regulations as set forth below.

2) Standards.

- a. Location. Multi-family housing shall be permitted only within the B1-A district and shall have at least 100 feet of road frontage on a State or County highways.
- b. Sewer/water connection. All applications are required to connect to central sewer and water.
- c. Building Height and Floor-to-Floor Heights. Building height shall be measured in number of stories excluding attics. The maximum building height shall be four (4) stories. Stories may not exceed 14 feet in height from finished floor to finished ceiling.
- d. Density. Maximum of 8 units per acre.
- e. Building Setbacks & Lot Coverage.

Front setback:	12 feet.
Rear setback:	20 feet.
Side setback:	20 feet.
Lot Coverage:	50 percent maximum

- f. Off-Street Parking. Parking shall be the same as required in the Off-Street Parking schedule, Section 194, Attachment 4.
- g. Architectural Review Board Referral. Transitional Zone Residential Special Permit applications shall be referred to the Architectural Review Board.
- h. A fee in lieu of land for recreation will be assessed on the same basis as a subdivision.

AMEND Schedule of Permitted Uses

Amend Section 194 Attachment 2 Schedule of Permitted Uses to permit multi-family dwellings in the B1-A Transitional Zone by special permit.

AMEND § 194-67.1 Shared driveways.

Amend § 194-67.1. A.

A. Authority of the Planning Board. Authorization is hereby granted to the Planning Board, Town of East Fishkill, to permit shared driveways in all residential districts and business/residential split zone parcels by special permit, provided that the Board finds that the application meets all the general conditions of Article IX (Special Permits) and further meets all of the applicable conditions set forth in this section.

B. Purposes.

(1) Shared driveways reduce the number of curb cuts along the street, improving access management and reducing the number of potential intersections and turning movements.

(2) Shared driveways can reduce adverse impacts to environmentally sensitive lands.

C. Standards.

(1) Maximum number of lots. The maximum number of lots sharing a driveway shall be three.

(2) Minimum area of each lot (not including any portion of shared driveway): 1.5 acres.

(3) Width. The width of the traveled way of the shared portion of the driveway shall be 16 feet with a two-foot cleared shoulder on each side.

(4) Length. The shared portion of the driveway shall in no event be longer than 1/4 mile.

(5) Agreements for construction and maintenance. Appropriate legal agreements/declarations shall be provided to assure proper construction and maintenance of the driveway.

(6) Buffering/Screening. Where appropriate, the Board may require additional screening or buffering to insure privacy to lots.

(7) Shared driveways shall be constructed to the standards of the driveway specifications in the Town Highway Specifications (presently § A197-76).

(8) The applicant must prove to the satisfaction of the Planning Board that each lot proposed to be served by a shared driveway could have had a driveway approved within the confines of the lot itself and serving said lot, such shared driveway provides a direct benefit to the Town, and such shared driveway has a shallower grade than an approvable separate driveway would have had. Shared driveways shall have a grade no greater than 10%.

(9) Construction of a shared portion of a driveway must be completed for any dwelling unit utilizing that driveway before the building permit is issued by the Building Department.

(10) **Split Zone Lots.** Shared driveways may be permitted on business and residential split zone parcels provided the following conditions are met: 1) each lot sharing the driveways must at least three (3) acres, is located on a State or County Road and within the New York City Department of Environmental Protection (NYCDEP) Watershed to reduce the potential for impacts to environmentally sensitive watershed lands. Split zone lots are exempt from that shared driveway standards in § 194-67.1. C.(8) except that shared driveways shall have a grade no greater than 10 percent and shall be required to meet all other applicable standards set forth in § 194-67.1. C.

Adopted at a Regular Meeting

Held on February 28, 2019

Date: February 28, 2019

This notice is issued pursuant to Part 617 of the implementing regulation pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of East Fishkill Town Board has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: **Hopewell Hamlet Water District Interconnection to Fishkill Plains**

Description of Action: The proposed action would result in the installation of a new water main interconnection connecting the Fishkill Plains Water District with the Hopewell Hamlet Water District. The proposed approximately 3900 linear foot water main would be installed with the Route 376 right-of-way between Secor Lane in the Fishkill Plains Water District and Governor’s Boulevard in the Hopewell Hamlet Water District. In addition, the proposed action would include a proposed approximately 500 foot section of water main at Worley Homes and a proposed 5 foot section of water main providing an interconnection to Revere Park. The proposed new interconnections would allow for water quality improvements, more efficient water service, and redundancy within the Hopewell Hamlet Water District and the Worley Homes and Revere Park subdivisions.

SEQR Status: Type I Conditioned Negative Declaration? Yes
Unlisted X
No

Location of Action: Town of East Fishkill, County of Dutchess

The following documentation was analyzed in making this negative declaration:

- Short Form EAF
- Supplemental Part III Information
- Storm Water Pollution Prevention Plan (SWPPP)
- Other (Describe)

Name of Action: **Hopewell Hamlet Water District Interconnection to Fishkill Plains**

For Further Information:

Contact Person: Gina Grippo, Secretary to the Town Supervisor
Town Hall, 330 Route 376
Hopewell Junction, New York 12533
(845) 221-4303

REASONS SUPPORTING THIS DETERMINATION:

(See 617.7(c) for requirements of this determination; see 617.7(d) for conditioned Negative Declaration)

The proposed action would result in the interconnection of the Fishkill Plains Water District with the Hopewell Hamlet Water District. These improvements help support public health and safety by providing for improved water quality, better service, and redundancy in the water supply system. The proposed 3900 linear foot water main between Secor Lane and Governor's Boulevard would be installed within the existing road right-of-way and would not be expected to result in any significant adverse impacts. The 500 linear foot Worley Homes water main interconnection would be installed within the subdivisions existing lawn areas and previously developed common areas. The five foot interconnection to Revere Park would be installed within an existing lawn. Therefore, the proposed disturbance would be limited to previously disturbed road beds and lawn areas and would not be expected to result in any significant adverse impacts for the following reasons:

1. It will not generate a significant amount of additional vehicles, noise or emission levels.
2. It will not affect rare or endangered species of animal or plant, or habitat of such species.
3. It will not result in any impacts to historic or archeological resources.
4. It will not result in any impacts related to hazardous materials.
5. It will not result in a significant effect on air, water quality or ambient noise levels for adjoining areas.
6. It will not be subjected to unacceptable risk of flooding or major geological hazards.
7. It will not have a substantial aesthetic affect.
8. It will not involve adversely affect any surface water or groundwater.

- 9. It will not allow for improper uses within specified zoning districts.
- 10. It will not result in adverse cumulative impacts.
- 11. It will not result in adverse growth-inducing impacts.
- 12. It will not conflict with the Town’s Comprehensive Plan.

In conclusion, no significant potential impacts were identified as a result of the Proposed Action.

Based on a review of 6NYCRR 617.7, there appear to be no significant adverse environmental impacts.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

THIS NEGATIVE DECLARATION WAS AUTHORIZED AT A MEETING OF THE TOWN BOARD OF THE TOWN OF EAST FISHKILL HELD ON FEBRUARY 28, 2019.

Chairperson/Designee

Date

- For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice Sent to:
- Commissioner, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-0001
 - Appropriate Regional Office of the Department of Environmental Conservation.
 - Office of the Chief Executive Officer of the political subdivision in which the action will be principally located.
 - Applicant (if any)
 - Other involved agencies (if any)

Motion to adopt the Negative Declaration and Zoning Law: Board Member Franco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

2. Open Adjourned Town Water Improvement Area

Motion to open the adjourned Public Hearing: Board Member Beephan. Seconded: Board Member Franco. All voted in favor. Motion carried.

Supervisor D'Alessandro stated this is regarding Hopewell North Water District. They've had this water improvement area since 2016 and this was to fund the Hopewell North Water District that the EPA is running the water line down Route

82 for. This is for one of the two needed modifications.

Engineer Bryant stated that the Map Plan Report was approved in 2016 for town wide water improvements that included Fishkill Plains, Revere Park, Hopewell Glen, the Hamlet, Hopewell North, and the Shenandoah Water System. Since then the EPA project has grown a lot in scale and scope and cost. It was decided to pull that out of the original Map Plan Report. They believe they have negotiated the funds with the EPA and now it is time to move forward with this additional work.

Supervisor D'Alessandro stated the Map Plan Report stipulates the cost that has been negotiated with the EPA and where the water main will be run.

Board Member Cassidy asked if they were on schedule for turning the water on. Engineer Bryant stated they are about two years out from turning the water on. Supervisor D'Alessandro stated there is a backup plan in case their original plan is not done in time. Engineer Bryant stated that there has been a slight delay due to the government shutdown.

Attorney Wood stated that the borrowing for this project is like a line of credit because they do know they will be getting almost 4 1/2 million dollars from the EPA. The town has to build the improvements before the EPA will pay. If the town board approves this it will establish a line of credit for the improvements to be done. Toll Brothers has contributed \$1 million towards this project so that they will use the new tank in Hopewell's field instead of building a separate one on their site. Attorney wood stated that there is a commitment letter from the regional director of the EPA committing them to make the contribution.

Supervisor D'Alessandro asked if there was anyone from the Board with questions or comments. There were none. He asked if there was anyone from the public to speak for or against this.

a. Close Public Hearing

Motion to close the Public Hearing: Board Member Cassidy. Seconded: Board Member Franco. All voted in favor. Motion carried.

b. Adopt Negative Declaration and Order

At a regular meeting of the Town Board of the Town of East Fishkill, Dutchess County, New York, held at the Town Hall, in East Fishkill, New York, in said Town, on the 10th day of

May, 2018 at 7:00 o'clock P.M.,
Prevailing Time.

PRESENT:

NICHOLAS D’ALESSANDRO
Supervisor

PETER CASSIDY
Councilman

THOMAS FRANCO
Councilman

EMANUELE MARINARO
Councilman

ANIL BEEPHAN
Councilman

In the Matter
of

A proposed water improvement in the Town of
East Fishkill, Dutchess County, New York
Pursuant to Article 12-C of the Town Law, to
be known as East Fishkill Route 82 Water
Improvement Area:

ORDER CALLING
PUBLIC HEARING

WHEREAS, a map, report and plan, including an estimate of cost, have been duly prepared in such manner and in such detail as has heretofore been determined by the Town Board of the Town of East Fishkill, Dutchess County, New York, relating to the construction of a water conveyance system, including acquisition of land and rights-in-land, filters, water mains, pumping stations for use by the Route 82 Water Improvement Area for conveyance to the water treatment facilities of same, together with original furnishings, equipment, machinery, apparatus, appurtenances and other incidental improvements and expenses in connection therewith, as more fully described in said map, plan and report, to serve a

benefitted area in said Town to be known as Route 82 Water Improvement Area whose boundaries shall consist of the area specified in Appendix A as attached hereto and hereby made a part hereof, as more fully shown upon a map on file in the office of the Town Clerk, which map is available for inspection by any person or person interested in same during regular office hours at said office; and

WHEREAS, said map, plan and report, including estimate of cost, were prepared by a competent engineer, duly licensed by the State of New York and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any person or persons interested in the subject matter thereof; and

WHEREAS, the capital improvements proposed in connection with the establishment of the Route 82 Water Improvement Area of the Town of East Fishkill consists of the construction of a water conveyance system, including acquisition of land and rights-in-land, distribution system, mains, pumping stations for conveyance and treatment facilities of the same, together with original furnishings, equipment, machinery, apparatus, appurtenances and other incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$4,500,000.00; and

WHEREAS, said maximum estimated cost shall be authorized to be financed by the issuance by the Town of East Fishkill of its serial bonds with a maximum maturity not in excess of the forty year period prescribed by the Local Finance Law; and

WHEREAS, said maximum estimated cost is not greater than one-tenth of one per centum of the full valuation of taxable real property in the area of the Town of East Fishkill outside of any villages; and

WHEREAS it is proposed that the cost of the aforesaid improvements shall be borne by the real property in said Route 82 Water Improvement Area by assessing, levying upon and collecting from the several lots and parcels of land within such Sewer Improvement Area, outside of any village, which the Town Board shall determine and specify to be especially benefitted by the improvements, an amount sufficient to pay the principal and interest on serial bonds and bond anticipation notes issued in anticipation of the issuance of serial bonds, as the same become due and payable; and

WHEREAS, the formation of said Route 82 Water Improvement Area and the aforesaid improvements have been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has determined will not result in any significant environmental effects; and

WHEREAS, it is now desired to call a public hearing for the purpose of considering said map, plan and report, including estimate of cost, and to hear all persons interested in the subject thereof concerning the same, all in accordance with the provisions of Section 209-q of the Town Law;

NOW, THEREFORE, BE IT ORDERED, by the Town Board of the Town of East Fishkill, Dutchess County, New York, as follows:

Section 1. A public meeting of the Town Board of the Town of East Fishkill, Dutchess County, New York, shall be held at the Town Hall, at 330 Route 376, Hopewell Junction, New York, in said Town, on the 28th day of February 28, 2019 at 7:00 o'clock P.M., Prevailing Time, to consider the aforesaid map, plan and report, including estimate of

cost, and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as is required by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of this order to be published once in the South Dutchess News, and also to post a copy thereof on the town signboard maintained by the Town Clerk, not less than ten (10) nor more than twenty (20) days before the day designated for the hearing as aforesaid, all in accordance with the provisions of Section 209-q of the Town Law.

Section 3. This order shall take effect immediately.

<u>NICHOLAS D’ALESSANDRO</u>	VOTING	<u> AYE </u>
<u>PETER CASSIDY</u>	VOTING	<u> AYE </u>
<u>THOMAS FRANCO</u>	VOTING	<u> AYE </u>
<u>EMANUELE MARINARO</u>	VOTING	<u> AYE </u>
<u>ANIL BEEPHEN</u>	VOTING	<u> AYE </u>

The resolution was thereupon declared duly adopted.

NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: February 28, 2019

This notice is issued pursuant to Part 617 of the implementing regulation pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of East Fishkill Town Board has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: **Hopewell Hamlet Water District Interconnection to Fishkill Plains**

Description of Action: The proposed action would result in the installation of a new water main interconnection connecting the Fishkill Plains Water District with the Hopewell Hamlet Water District. The proposed approximately 3900 linear foot water main would be installed with the Route 376 right-of-way between Secor Lane in the Fishkill Plains Water District and Governor’s Boulevard in the Hopewell Hamlet Water District. In addition, the proposed action would include a proposed approximately 500 foot section of water main at Worley Homes and a proposed 5 foot section of water main providing an interconnection to Revere Park. The proposed new interconnections would allow for water quality improvements, more efficient water service, and redundancy within the Hopewell Hamlet Water District and the Worley Homes and Revere Park subdivisions.

SEQR Status: Type I Conditioned Negative Declaration? Yes
Unlisted X
No

Location of Action: Town of East Fishkill, County of Dutchess

The following documentation was analyzed in making this negative declaration:

- Short Form EAF
- Supplemental Part III Information
- Storm Water Pollution Prevention Plan (SWPPP)
- Other (Describe)

Name of Action: **Hopewell Hamlet Water District Interconnection to Fishkill Plains**

For Further Information:

Contact Person: Gina Grippo, Secretary to the Town Supervisor
Town Hall, 330 Route 376
Hopewell Junction, New York 12533
(845) 221-4303

REASONS SUPPORTING THIS DETERMINATION:

(See 617.7(c) for requirements of this determination; see 617.7(d) for conditioned Negative Declaration)

The proposed action would result in the interconnection of the Fishkill Plains Water District with the Hopewell Hamlet Water District. These improvements help support public health and safety by providing for improved water quality, better service, and redundancy in the water supply system. The proposed 3900 linear foot water main between Secor Lane and Governor's Boulevard would be installed within the existing road right-of-way and would not be expected to result in any significant adverse impacts. The 500 linear foot Worley Homes water main interconnection would be installed within the subdivisions existing lawn areas and previously developed common areas. The five foot interconnection to Revere Park would be installed within an existing lawn. Therefore, the proposed disturbance would be limited to previously disturbed road beds and lawn areas and would not be expected to result in any significant adverse impacts for the following reasons:

1. It will not generate a significant amount of additional vehicles, noise or emission levels.
2. It will not affect rare or endangered species of animal or plant, or habitat of such species.
3. It will not result in any impacts to historic or archeological resources.
4. It will not result in any impacts related to hazardous materials.
5. It will not result in a significant effect on air, water quality or ambient noise levels for adjoining areas.
6. It will not be subjected to unacceptable risk of flooding or major geological hazards.
7. It will not have a substantial aesthetic affect.
8. It will not involve adversely affect any surface water or groundwater.
9. It will not allow for improper uses within specified zoning districts.
10. It will not result in adverse cumulative impacts.
11. It will not result in adverse growth-inducing impacts.
12. It will not conflict with the Town's Comprehensive Plan.

In conclusion, no significant potential impacts were identified as a result of the Proposed Action.

Based on a review of 6NYCRR 617.7, there appear to be no significant adverse environmental impacts.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

THIS NEGATIVE DECLARATION WAS AUTHORIZED AT A MEETING OF THE TOWN BOARD OF THE TOWN OF EAST FISHKILL HELD ON FEBRUARY 28, 2019.

Chairperson/Designee

Date

For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice Sent to:

- Commissioner, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-0001
- Appropriate Regional Office of the Department of Environmental Conservation.
- Office of the Chief Executive Officer of the political subdivision in which the action will be principally located.
- Applicant (if any)
- Other involved agencies (if any)

Motion to adopt the Negative Declaration and Order: Board Member Cassidy. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

3. Open Peddlers Permit Law

Motion to open the Public Hearing: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Attorney Wood stated that the current Peddlers Law was adopted decades ago. This law modernizes the terminology. It requires anyone who goes door to door to peddle in the town to come before the Town Clerk first. There is a background check done. There is an insurance requirement to cover if they damage someone's property or get hurt on someone's property. This also formally allows residents of the town to register with the Town Clerk to indicate that they do not want anyone to call at their home to sell products. It does not prohibit anyone from going door-to-door for religious purposes or political purposes. Those are regulated through the Constitution of the United States.

Board Member Franco asked how many people have asked to be put on the list to not have peddlers at their residence. Clerk Hurray stated she has 592 people that

have signed up at this point. You can register right on the website to be added to the list.

Board Member Beephan asked what the process would be if someone was being harassed by peddler. Clerk Hurray stated they would call the police department. There are rules as to time of day that they can go out door to door.

Resident number one asked what kind of identification they have when they go door-to-door. Clerk Hurray stated they should have a badge issued by their company. They should also have the permit issued by the Town to present to people.

Supervisor D'Alessandro asked if there was anyone from the Board with questions or comments. There were none. He asked if there was anyone from the public to speak for or against this. There was no one else.

a. Close Public Hearing

Motion to close the Public Hearing: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

b. Adopt Negative Declaration and Peddlers Permit Law

Chapter 140: Peddling and Soliciting

LOCAL LAW 2 2019

§ 140-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

PUBLIC STREET OR SIDEWALK

All areas legally open to public use as public streets, sidewalks, roadways, highways, parkways, alleys and any other public way.

SOLICITOR/PEDDLER/VENDOR

Any person, including an employee or agent of another, who sells or offers to sell services, food, beverages, goods or merchandise on any public street or sidewalk from a stand, motor vehicle or from his or her person, or one who travels by foot, wagon, motor vehicle, pushcart or any other method of transportation from house to house or street to street selling or offering to sell services, food, beverages, goods or merchandise. This shall include corporations, limited liability companies, partnerships, and their agents.

STAND

Any newsstand, table, bench, booth, rack, handcart, pushcart or any other fixture or device which is not required to be licensed and registered by the Department of Motor

Vehicles, used for the display, storage or transportation of articles offered for sale by a vendor.

STATIONARY SOLICITOR, PEDDLER OR VENDOR

A solicitor, peddler or vendor who uses a vehicle or stand and who operates from the same location for more than three days. This shall include corporations, limited liability companies, partnerships, and their agents.

§ 140-2. License required; special permit required for stationary vendor.

- A. It shall be unlawful for any person, except as exempted herein, to solicit, peddle or vend within the Town of East Fishkill, without first obtaining a license from the East Fishkill Town Clerk, as herein provided.
- B. A stationary vendor as defined herein shall be required to obtain a special permit in accordance with § **194-66** in order to obtain a license pursuant to this chapter.

§ 140-3. Exemptions.

- A. No part of this chapter shall be enforced so as to conflict with Article 4, Section 32, of the General Business Law of the State of New York, providing for exemption for veterans.
- B. The requirements of this chapter shall not apply to the following, provided that official uniforms, clothing or other suitable identification is displayed:
- (1) Any nonprofit religious, charitable, educational, civic or political organization (including candidates for elective office or their representatives).
 - (2) Any such organization as the Boy Scouts, Girl Scouts or local volunteer firemen.
 - (3) Sales conducted pursuant to statute or by order of any court.
 - (4) The peddling of milk, meats, fish, fruit and similar produce by farmers and persons who produce such commodities.
 - (5) This exemption does not authorize any person to occupy any portion of a highway for the purpose of solicitation of monetary contributions, as prohibited by Vehicle and Traffic Law § 1157, Subdivision (c), and § **177-12** of the East Fishkill Code.

§ 140-4. License application requirements.

Applications for licenses or a renewal thereof by solicitors, peddlers or vendors shall be made to the Town Clerk, shall be sworn and in writing, and shall contain the following information:

- A. Name, age, telephone number, permanent address and current address, if different, or business address.
- B. Physical description of the applicant.
- C. A brief description of the nature of the business to be conducted and the goods to be sold.
- D. If employed, the name and address of the employer, together with credentials establishing the exact relationship.
- E. If a vehicle is to be used, a description of such vehicle and its license number.
- F. A description of the proposed location(s) of the vending business and the length of time during which it is proposed that the business shall be conducted.
- G. The place where the goods or property to be sold or offered for sale are manufactured or produced, where such goods or property are located at the time such application is filed and the proposed method of delivery.
- H. A photograph of the applicant taken within 60 days immediately prior to the date of the application, which photograph shall clearly show the head and shoulders of the applicant and shall measure 2 inches by 2 inches.
- I. Two business references located in the County of Dutchess, State of New York, or, in lieu thereof, such other available evidence of the character and business responsibility of the applicant as will enable an investigator to properly evaluate such character and responsibility.
- J. A statement as to whether the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance regarding soliciting, peddling or vending, the nature of the offense and the punishment or penalty assessed therefor.
- K. If the application is for a license to handle food in any form, the applicant shall submit a valid permit issued by the Dutchess County Health Department establishing compliance with the provisions of the Dutchess County Public Health Regulations.
- L. Proof that applicant holds a New York State Sales Tax Identification Number where applicable.
- M. A copy of any other license or permit required by any other governmental agency in connection with the applicant's business.
- N. Any change in circumstances with regard to the information provided in the application or on the license shall be reported to the Town Clerk within 30 days.
- O. A certificate of insurance as required pursuant to § **140-7**.

§ 140-5. License/application procedure.

- A. An application to solicit, peddle or vend accompanied by all required information shall be submitted to the East Fishkill Town Clerk. The Clerk shall refer the application to the Chief of Police.
- B. The Chief of Police shall review and investigate the application and make a determination within 30 days of receipt. The Chief of Police, after such investigation, may reject, in writing, an application for a license if the issuance of the license would involve an unreasonable risk to property or to the safety or welfare of specific individuals or of the general public.
- C. In the absence of any such finding, the Chief of Police shall find the application satisfactory, shall endorse his approval subject to conditions of § **140-5D** on the application and shall return the application to the Clerk.
- D. The police may impose reasonable conditions on a license to ensure that any peddling from a vehicle in the public way does not interfere with traffic flow and safety. Such conditions may include, but are not limited to, placement of vehicles used in peddling, parking and hours of operation.
- E. If approved, the Town Clerk will issue a license after payment of the appropriate fee pursuant to § **140-6** and the license shall contain the following information:
- (1) The name, address and photograph of the licensee.
 - (2) The kind of goods to be peddled or solicited thereunder.
 - (3) The amount of fee paid.
 - (4) The peddler's license number.
 - (5) The date of issuance and the date of expiration of such license.
 - (6) The signature of the Town Clerk or authorized deputy.
 - (7) Any conditions imposed by the Chief of Police.
- F. Denial of a license is subject to review by the Town Board, upon application within 30 days of the date of the denial.

§ 140-6. Fees.

An applicant for a license under this chapter shall pay an annual license fee, per vendor, as set from time to time by the Town Board.

§ 140-7. Insurance.

No license shall be issued to an applicant unless the applicant furnishes proof to the town of a public liability bond or insurance policy in an amount not less than \$1,000,000 for property

damage and injuries, including injury resulting in death, caused by the operation of the vending business.

§ 140-8. License to be carried; replacement of lost license.

Each licensee shall carry on his person all licenses issued by the Town Clerk at all times and shall exhibit same to any town official or police officer upon request. If such license is lost or stolen, such shall be reported to the Town Clerk within 10 days. Upon such notification, the Town Clerk shall issue a replacement license, payable to the Town Clerk, in an amount as set from time to time by the Town Board.

§ 140-9. Transferability.

No license issued pursuant to this chapter may be used or displayed at any time by any other person or entity than to who the license was issued.

§ 140-10. Restrictions.

A. Restricted and prohibited locations

(1) Pursuant to § 1157, Subdivision (c), and § 1800 of the New York State Vehicle and Traffic Law, no solicitor/peddler/vendor shall occupy any part of a state highway in any manner for the purpose of selling or soliciting, except a veteran holding a peddler's license pursuant to Article 4 (§ 32 and following) of the General Business Law. Pursuant to § **177-12** of the East Fishkill Code, no person shall occupy any part of any highway in the Town of East Fishkill in any manner for the purposes of soliciting monetary contributions.

(2) No solicitor/peddler/vendor who is licensed by the town to sell from a vehicle shall solicit, peddle or vend on privately owned lands without permission from the owner unless specifically authorized by the Town Board to do so for an event such as a flea market, carnival, circus, community day or any similar activity.

(3) It shall be unlawful for any solicitor, peddler or vendor in plying his trade to enter upon any premises or property, or to ring the doorbell or knock upon or enter any building whereon there is painted or otherwise affixed or displayed to public view any sign containing any or all of the following words: "No solicitors, peddlers or vendors," or other wording, the purpose of which purports to prohibit soliciting or peddling on the premises.

(4) No solicitor/peddler/vendor who is licensed by the town shall permit any vehicle used in such business to stand or remain:

(a) Within 200 feet of any intersection.

(b) On any crosswalk.

(c) Within 250 feet of any school, public building, residence or commercial establishment.

(5) No solicitor/peddler/vendor shall have any exclusive right to any location in the public streets, nor shall any be permitted a stationary location without a special permit, nor shall any be permitted to operate in a congested area where such operation might impede access to the entrance of any adjacent building or driveway or inconvenience the public. For the purpose of this chapter, the judgment of any police officer or Building Inspector exercised in good faith shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.

B. Use of signs and displays. It shall be lawful for peddlers to use signs which are painted on or affixed to a peddler's vehicle, provided same do not exceed the dimensions of the vehicle on which they are placed, and such vehicle can be driven safely with the sign as affixed. Such permitted signs shall be exempt from the provisions of the East Fishkill Zoning Ordinance. The use of other movable, portable and/or freestanding signs by solicitors, peddlers or vendors is prohibited.

C. Restrictions on Times and Days. A solicitor/peddler/vendor shall not sell or solicit on a house-to-house or door-to-door basis on Saturdays, Sundays or holidays, and he or she shall not solicit on other days except between the hours of 9:00 a.m. and 6:00 p.m.

D. Non-Solicitation List. The Town Clerk's office shall keep a list of properties that have requested in writing that solicitors/peddlers/vendors not solicit from them. This list shall be continually updated and provided to a solicitor/peddler/vendor during its initial application and subsequent renewals. No solicitor/peddler/vendor shall solicit anyone from this list.

E. Other restrictions:

(1) No solicitor, peddler or vendor may operate in violation of any conditions imposed in its license.

(2) Solicitors, peddlers or vendors are responsible for the cleanup of any debris associated with their business.

§ 140-11. Enforcement.

The East Fishkill Police Department and the Building Inspector shall enforce the provisions of this chapter.

§ 140-12. Penalties for offenses.

A violation of this article shall constitute an offense punishable by a fine not exceeding \$250 or by imprisonment for a term not exceeding 15 days and/or a civil penalty of \$1,000. Each day said violation continues shall constitute a separate violation.

§ 140-13. Revocation of license.

Licenses issued under the provisions of this Chapter may be revoked by the Town Board of the Town of East Fishkill after notice and hearing, for any of the following causes:

- A. Fraud, misrepresentation or false statement contained in the application for license.
- B. Fraud, misrepresentation or false statement made in the course of carrying on business as a peddler/solicitor/vendor.
- C. Any violation of this chapter.
- D. Conducting the business of peddling in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.
- E. Upon the recommendation of the Dutchess County Department of Health that the sale of food or food products or other edibles is being conducted under unsanitary conditions or that there is a violation of law, regulation, code or ordinance cited by the Dutchess County Department of Health.

§ 140-14. Records.

The Town Clerk shall keep an accurate record of all licenses issued under this chapter.

§ 140-15. License period.

A license issued pursuant to this chapter shall be good for one year from date of issuance.

§ 140-16. Renewal.

Application for renewal shall be processed as new applications. The town shall review each application for renewal to determine that:

- A. The applicant is in full compliance with the provisions of this chapter.
- B. The applicant has a currently effective insurance policy in the minimum amount provided for in § 140-7. If the town finds that the application meets the above requirements, the town shall issue a license for a period of one year.

**Adopted at a regular meeting held on
February 28, 2019**

NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: February 28, 2019

This notice is issued pursuant to Part 617 of the implementing regulation pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of East Fishkill Town Board has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Amendments to East Fishkill Town Code **Chapter 140 Peddling and Soliciting**

Description of Action: The proposed action is the adoption of minor revisions to Chapter 140 Peddling and Soliciting. The revisions include the following:

- The addition of restrictions for peddling during certain times and days;
- The creation of a non-solicitation list to be provided to all permit holders;
- Updates to the penalties for offenses to Chapter 140;
- Revision to the definition of solicitor, peddler, vendor to include corporations, limited liability companies, partnerships, and their agents.

SEQR Status: Type I Conditioned Negative Declaration? Yes
 No Unlisted X

Location of Action: Town of East Fishkill, County of Dutchess

The following documentation was analyzed in making this negative declaration:

- Short Form EAF
- Supplemental Part III Information
- Storm Water Pollution Prevention Plan (SWPPP)
- Other (Describe)

Name of Action: Amendments to East Fishkill Town Code **Chapter 140 Peddling and Soliciting**

For Further Information:

Contact Person: Gina Grippo, Secretary to the Town Supervisor
Town Hall, 330 Route 376
Hopewell Junction, New York 12533
(845) 221-4303

REASONS SUPPORTING THIS DETERMINATION:

(See 617.7(c) for requirements of this determination; see 617.7(d) for conditioned Negative Declaration)

The proposed action is the adoption of minor revisions to Chapter 140 Peddling and Soliciting to advance and protect the public health, safety, and welfare of the Town by adopting revisions to update Chapter 140 to:

- | | | |
|----|---|-------------|
| 1. | current standards and practices; | Reflect |
| 2. | intent of the law; and | Clarify the |
| 3. | the ability of the Town to enforce the permit requirements. | Improve |

Therefore, the proposed action would not be expected to result in any significant adverse impacts on the environment.

Based on a review of 6NYCRR 617.7, there appear to be no significant adverse environmental impacts.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

THIS NEGATIVE DECLARATION WAS AUTHORIZED AT A MEETING OF THE TOWN BOARD OF THE TOWN OF EAST FISHKILL HELD ON FEBRUARY 28, 2019

Chairperson/Designee

Date

- For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice Sent to:
- Commissioner, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-0001
 - Appropriate Regional Office of the Department of Environmental Conservation.
 - Office of the Chief Executive Officer of the political subdivision in which the action

will be principally located.

- Applicant (if any)
- Other involved agencies (if any)

Motion to adopt the Negative Declaration and Peddlers Permit Law: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

4. Reopen Closed Public Hearing for Hopewell West Water District

Motion to open the adjourned Public Hearing: Board Member Beephan. Seconded: Board Member Franco. All voted in favor. Motion carried.

Supervisor D'Alessandro stated this public hearing was closed a while back as there was still discussion as to the best financial way to do this and where the water would be coming from as well as the route it would be taking. This will be voted on tonight but it will be coupled with a submission to New York State for a WEA Grant, which will be done in the future. They have to show that they have a plan in place to apply for the grant. This will be coupled with the Revere Park Water District. They will get done what they have on the Map Plan and Report.

Engineer Bryant stated they have been looking at this for several years. They looked at several possible locations to connect to and had to do significant rehab at Fishkill Plains over the summer. They were able to bring their well yield up to a place where they can actually provide an interim connection and that's what they are proposing with the Health Department at this point. Fishkill Plains can supply all of the systems on peak demand days so they will also be running a line down Route 376 to tie into Hopewell Glen. There will be a connection with County to provide redundancy on those extreme usage days. The Map Plan Report has been updated with the updated costs and scope of work. The Comptroller's office for the state of New York has lowered the threshold for how much a household can pay for water and sewer so the scope had to be scaled back a little bit. Currently the costs are higher than they have been in the past for this work also. The annual fee is approximately \$8.95. This is Phase 1. They will be looking to the WEA 2 Grant and with those funds they can tackle the inner distribution of the system itself and try to replace as much piping as possible.

Supervisor D'Alessandro asked if there was anyone from the Board with questions or comments. There were none. He asked if there was anyone from the audience to speak for or against this.

Rahul Verma thanked the Board for their willingness to meet with the residents over the last several years. He asked if the 700 feet of piping shown did or did not include the WEA grant and Engineer Bryant stated it did not. With the WEA Grant it would be approximately 60%. Mr. Verma asked about the schedule. Attorney

Wood stated if the Board adopts the resolution tonight they need to publish for 30 days before it becomes effective. They will immediately advise the current owners of the system that the district has been established and their attorney is ready to file the petition with the Public Service Commission. All the users of the system will be notified by the PSC and once they make a decision then the Town would be in position to take title of the water system. Once they take title than they could begin the process of making the improvements. The PSC process takes approximately 6 months. Engineer Bryant stated he believed it would be the summer of 2020. Mr. Verma stated the purchase price seems to have stayed static over the last few years and he said the system has been getting worse. They have had two failures in the last two weeks so he questions the dollar amount they have it valued at. Supervisor D'Alessandro stated he does understand the resident's frustration. They did try to take it over for free but the owner did not agree to that. Attorney Wood stated that if they were to do that the cost to do it would be a large percentage of their hundred thousand dollars and it could come back at a higher value. Engineer Bryant stated that once they take over the system they will make sure that they get notices out to the residents and will respond quicker than what is being done now.

Felicia Walker thanked the Town for the effort on behalf of Worley homes. She is very happy with the possibility of getting a grant to help expand the scope of the project.

Mrs. Giorgio asked what they would do if the system totally broke down and they have no water before the Town can get hooked up. Supervisor D'Alessandro's stated once they take ownership of the system they will do whatever is necessary to make sure that they have water. The Board of Health will not allow anything else. He stated that's why they are doing the temporary hookup with Fishkill Plains. Mrs. Giorgio asked when the temporary solution would be hooked up. Engineer Bryant stated that they have to take ownership, do the design work, get Health Department approval, and go out to bid for the construction. He figures it won't be until the summer of 2020.

a. Close Public Hearing

Motion to close the Public Hearing: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

b. Adopt Negative Declaration and District

RESOLUTION

RESOLUTION DATED FEBRUARY 28, 2019

A RESOLUTION APPROVING THE ESTABLISHMENT OF THE HOPEWELL WEST WATER DISTRICT AND THE IMPROVEMENTS IN CONNECTION THEREWITH.

WHEREAS, the Town Board of the Town of East Fishkill, Dutchess County, New York, has duly caused to be prepared a map showing the boundaries of a proposed Water District in said Town, to be known as Hopewell West Water District, and a plan and report in connection therewith; and

WHEREAS, said map, plan and report were prepared by a competent engineer, duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said town, where the same is available during regular office hours for examination by any persons interested in the subject matter thereof; and

WHEREAS, the estimated cost of hook-up fees to the typical property in said District is \$0; and

WHEREAS, the estimated cost of said District to the typical property therein is \$895 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid; and

WHEREAS, said capital project for said District and the establishment thereof has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has determined will not result in any significant environmental effects; and

WHEREAS, an order was duly adopted by said Town Board on May 10, 2018, reciting a description of the boundaries of said proposed the Hopewell West Water District, the improvements proposed, the maximum amount proposed to be expended for

said improvements, the proposed method of financing to be employed, the fact that said map, plan and report were on file in the Town Clerk's office for public inspection and specifying the 28th day of February, 2019 at 7:00 o'clock P.M., local time, at the East Fishkill Town Hall, 330 Route 376, in East Fishkill, New York, in said Town, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to consider the establishment of said Hopewell West Water District and said map, plan and report filed in relation thereto and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, notice of the aforesaid public hearing was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law, and proof of publication and posting have been duly presented to said Town Board; and

WHEREAS, said public hearing was duly held at the time and place in said order as aforesaid, at which all persons desiring to be heard were duly heard; and

WHEREAS, said Town Board has duly considered said map, plan and report and the evidence given at said public hearing; and

WHEREAS, said Town Board has adopted a resolution on February 28, 2019 making the findings and determinations required pursuant to Section 209-e(1) of the Town Law; NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of East Fishkill, Dutchess County, New York, as follows:

Section 1. The establishment of Hopewell West Water District in the Town of East Fishkill, Dutchess County, New York, to be bounded and described as hereafter set forth, and the improvements proposed therefor consisting of the construction and acquisition of water mains and laterals, including the acquisition of land or rights-in-land,

furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$1,311,000.00 is hereby approved. The method of financing the cost of said improvements shall be by the issuance of \$1,311,000.00 serial bonds of said Town maturing in annual installments over a period not exceeding forty years, such bonds to be payable from assessments levied upon and collected from the several lots and parcels of land within said District in the manner provided by law in an amount sufficient to pay the principal of and interest on said bonds.

Section 2. Said District shall be bounded and described as set forth in Exhibit A.

Section 3. This resolution is adopted subject to permissive referendum.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<u>NICHOLAS D’ALESSANDO</u>	VOTING	AYE
<u>THOMAS FRANCO</u>	VOTING	AYE
<u>PETER CASSIDY</u>	VOTING	AYE
<u>EMANUELE MARINARO</u>	VOTING	AYE
<u>ANIL BEEPHAN</u>	VOTING	AYE

Adopted
East Fishkill, NY

Exhibit A

6357-01-450505	6357-03-441485	6357-03-476483	6357-04-509364	6357-04-543437
6357-01-463515	6357-03-443475	6357-03-477456	6357-04-514462	6357-04-544333
6357-01-471520	6357-03-443498	6357-03-478360	6357-04-514493	6357-04-544428
6357-01-477525	6357-03-444467	6357-03-479389	6357-04-515337	6357-04-547419
6357-01-478504	6357-03-446458	6357-03-479442	6357-04-516330	6357-04-549411
6357-01-483510	6357-03-448449	6357-03-480411	6357-04-516470	6357-04-551403
6357-01-485529	6357-03-450440	6357-03-481434	6357-04-519478	6357-04-552312
6357-01-491534	6357-03-452432	6357-03-482351	6357-04-520308	6357-04-552395
6357-01-493517	6357-03-453423	6357-03-483427	6357-04-521380	6357-04-553332
6357-01-497510	6357-03-455415	6357-03-484381	6357-04-522487	6357-04-553386
6357-01-497539	6357-03-456406	6357-03-487344	6357-04-522497	6357-04-554379
6357-02-503503	6357-03-458399	6357-03-488375	6357-04-524371	6357-04-555371
6357-02-504542	6357-03-459391	6357-03-488401	6357-04-525353	6357-04-556362
6357-02-510527	6357-03-459480	6357-03-488411	6357-04-525363	6357-04-557355
6357-02-511547	6357-03-461368	6357-03-491393	6357-04-528336	6357-04-558346
6357-02-514521	6357-03-461383	6357-03-492498	6357-04-532352	6357-04-562331
6357-02-518513	6357-03-462467	6357-03-494368	6357-04-536369	6357-04-591430
6357-02-518551	6357-03-463458	6357-03-495340	6357-04-536376	6357-04-600400
6357-02-520532	6357-03-465493	6357-03-495386	6357-04-536385	6357-04-601318
6357-02-524555	6357-03-466450	6357-03-497465	6357-04-538362	6357-04-601340
6357-02-527521	6357-03-467441	6357-03-498332	6357-04-540455	6357-04-602420
6357-02-528537	6357-03-469432	6357-03-498360	6357-04-540464	6357-04-603361
6357-02-531560	6357-03-470369	6357-03-498473	6357-04-540472	6357-04-604385
6357-02-535542	6357-03-470425	6357-04-501315	6357-04-541351	6357-04-623342
6357-02-538508	6357-03-472407	6357-04-501480	6357-04-541446	6357-04-623421
6357-02-538526	6357-03-473498	6357-04-502380	6357-04-541488	6357-04-629363
6357-04-591430	6357-03-475398	6357-04-505372		6357-04-510428
	6357-03-475471	6357-04-506488		6357-04-634380
		6357-04-508354		6357-04-637396
			6357-04-518321 v	6357-04-641412 v

And the portions of Elk Road, Fox Road, Tiger Road, Deer Run, Oxen Lane, Cow Path, Beaver Lane, and Crest Court abutting said parcels.

NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: February 28, 2019

This notice is issued pursuant to Part 617 of the implementing regulation pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of East Fishkill Town Board has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: **Formation of Hopewell West Water District**

Description of Action: The proposed action is the formation of the Hopewell West Water District to include 136 residential parcels, 2 vacant lots, and 2 existing water supply lots located along Crest Court or within the Worley Homes development and 1 commercial parcel at 567 Old Hopewell Road (tax parcel 132800-6357-04-552312).

The existing Worley Homes – Hopewell Services water system has been in operation since the 1950's and has supplied water to the Worley Homes development and parcels along Crest Court in the Town of East Fishkill.

The existing system has a reported water source consisting of two (2) wells, although only a single well is authorized for use at this time. A newly drilled well reportedly has excessive levels of iron and manganese present, which has prevented it from being placed into operation. The existing distribution system consists of 6" diameter and smaller asbestos cement (A.C.) water main. The water system is not fire rated and there are no individual water meters present.

There are a number of reported issues with the existing water system. According to the Department of Health, the most significant issues are: having only a single well source available; excessive chloride levels as noted in a recent inspection; age, condition and actual capacity of existing storage tanks (tank was reported to be leaking), rusting of the chlorine contact tank, the presence of A.C. pipe with some smaller sized piping present, exposed electrical wire within the treatment facility building, lack of an emergency generator and pressure issues near the storage tanks.

The Town of East Fishkill has negotiated with the current owners of the system an option to purchase the existing water system. The existing water system would become a Town Water district, with system improvements being performed to provide a more reliable water supply as part of the formation of the Water District.

SEQR Status: Type I _____ Conditioned Negative Declaration?____ Yes
No Unlisted x X

Location of Action: Town of East Fishkill, County of Dutchess

The following documentation was analyzed in making this negative declaration:

- X _____ Short Form EAF
- _____ Supplemental Part III Information
- _____ Storm Water Pollution Prevention Plan (SWPPP)
- _____ Other (Describe)

Name of Action: **Formation of Hopewell West Water District**

For Further Information:

Contact Person: Gina Grippo, Secretary to the Town Supervisor
Town Hall, 330 Route 376
Hopewell Junction, New York 12533
(845) 221-4303

REASONS SUPPORTING THIS DETERMINATION:

(See 617.7(c) for requirements of this determination; see 617.7(d) for conditioned Negative Declaration)

The proposed action would result in the formation of the Hopewell West Water District to include 136 residential parcels, 2 vacant lots, and 2 existing water supply lots located along Crest Court or within the Worley Homes development and 1 commercial parcel at 567 Old Hopewell Road (tax parcel 132800-6357-04-552312). The proposed water district would allow the Town to purchase the existing water system and make necessary

improvements providing an upgraded and more reliable water supply as part of the formation of the Water District. Therefore, the proposed action would not be expected to result in any significant adverse impacts on the environment for the following reasons:

1. It will not generate a significant amount of additional vehicles, noise or emission levels.
2. It will not affect rare or endangered species of animal or plant, or habitat of such species.
3. It will not result in any impacts to historic or archeological resources.
4. It will not result in any impacts related to hazardous materials.
5. It will not result in a significant effect on air, water quality or ambient noise levels for adjoining areas.
6. It will not be subjected to unacceptable risk of flooding or major geological hazards.
7. It will not have a substantial aesthetic affect.
8. It will not involve adversely affect any surface water or groundwater.
9. It will not allow for improper uses within specified zoning districts.
10. It will not result in adverse cumulative impacts.
11. It will not result in adverse growth-inducing impacts.
12. It will not conflict with the Town’s Comprehensive Plan.

In conclusion, no significant potential impacts were identified as a result of the Proposed Action.

Based on a review of 6NYCRR 617.7, there appear to be no significant adverse environmental impacts.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

THIS NEGATIVE DECLARATION WAS AUTHORIZED AT A MEETING OF THE TOWN BOARD OF THE TOWN OF EAST FISHKILL HELD ON FEBRUARY 28, 2019.

Chairperson/Designee

Date

- For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice Sent to:
- Commissioner, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-0001
 - Appropriate Regional Office of the Department of Environmental Conservation.
 - Office of the Chief Executive Officer of the political subdivision in which the action will be principally located.

- Applicant (if any)
- Other involved agencies (if any)

Motion to adopt the Negative Declaration and District: Board Member Beephan. Seconded: Board Member Franco. All voted in favor. Motion carried.

Supervisor D'Alessandro stated there were three hearings for unsafe buildings.

The owner from 880 Route 82 was present. She stated they are waiting on funds from the insurance company and then the building will be demolished. Supervisor D'Alessandro asked if there was any paperwork from insurance or any company that they have contracted with for the demolition. The owner stated the mortgage company received the money from the insurance company but it was made out to the mortgage people. They are holding it and it should be released within 45 days.

Motion to allow an additional 60-day extension for this demolition: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

The owner from 37 Carol Dr. was present as well as his contractor that is doing the work on it. They will be going forward getting the building permit for demolition from the Building Department.

Motion to grant an additional 30-day extension to allow them to get the Demolition Permit: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

No one was present for 862 Route 82. Supervisor D'Alessandro stated he did receive a phone call from the attorney for the property owner but he did not speak with him. Attorney Wood stated if the Town Board declares this building is dangerous and should be demolished, the order would have to be prepared and delivered to the owner and the law requires that they get 20 days within which to satisfy that requirement. If they adopt the order tonight for the demolition that will give them approximately 30 days to demolish it. Board Member Cassidy asked what the owner said 60 days ago and Attorney Wood stated the owner said he would be here.

Motion to order the demolition of 862 Route 82: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Approve Minutes:

January 24, 2019

Motion to approve the minutes for the January 24th meeting: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Announcement of Additions to the Agenda:

Supervisor D'Alessandro said there are two additions to the agenda. The first authorizing a parking restriction from Dutchess County and the second to authorize the purchase of a Police Department K-9.

Courtesy of the Floor:

None.

Receive and File:

Supervisor D'Alessandro stated they received a letter from the East Fishkill Historical Society.

Resolutions:

1. Award Highway Materials Bids

RESOLUTION
(AWARDING CERTAIN HIGHWAY BIDS)

WHEREAS, the Town Board previously authorized the advertisement of bids for various materials and supplies utilized by the Highway Department; and

WHEREAS, the bids have been received by the Town Clerk and a summary has been prepared; and

WHEREAS, it is the desire of the Town Board to award said bids to the lowest responsible bidders;

NOW, THEREFORE, BE IT RESOLVED, that the bids for materials and goods for the Highway Department as set forth in the attached schedule and being labeled the lowest responsible bidder be and hereby is awarded by the Town Board; and

BE IT FURTHER RESOLVED, that the Town Clerk shall notify all bidders of said award.

Motion to award Highway materials bids: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

2. Authorize the Police Department to enter into a contract with A1 Communications for radios

RESOLUTION

(AUTHORIZING A RADIO SYSTEM FOR THE POLICE DEPARTMENT)

WHEREAS, the Chief of Police has received 3 quotes for Radio Systems for their Department; and

WHEREAS, the Chief of Police has recommended to the Board that the Board enter into a Lease Agreement with A1 Communications Systems since they are the lowest quote; and

WHEREAS, said proposal provides for an monthly cost of \$1,380.28 per month for a 36 month period for various equipment; and

WHEREAS, that the 30 Kenwood Portable radios would be donated to the Town at the end of the 36 month period; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to execute an agreement with A1 Communications System Inc. as per the terms attached to this document.

Motion to authorize the Police Department to enter into a contract with A1 Communications for radios: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

3. Schedule a Hearing for Declaring Building on Old Hook Road an unsafe structure

RESOLUTION

(AUTHORIZING HEARING ON UNSAFE STRUCTURE)

WHEREAS, the Town Board is vested with the power to declare certain structures unsafe in accordance with law; and

WHEREAS, the Town Engineer has recommended that the Town Board consider condemnation action on unsafe structures at 16 Old Hook Road as per his attached memo; and

WHEREAS, it is now the recommendation of the Town Supervisor that the Board authorize a hearing regarding unsafe structure proceedings; and

BE IT FURTHER RESOLVED, the Town Board will conduct a hearing regarding the above named structures on April 25, 2019

Motion schedule a Hearing for declaring a building on Old Hook Road an unsafe structure: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

4. Appoint Alternate Planning Board Member

RESOLUTION
(APPOINTING A PLANNING BOARD ALTERNATE)

WHEREAS, the Planning Board is made up of seven members and two alternates; and

WHEREAS, the Planning Board Chairperson is requesting the Town Board to fill a vacant alternate position. It is necessary for the Town Board to appoint an alternate to the Planning Board for a period of 4 years in accordance with the provisions of Town law; and

NOW, THEREFORE, BE IT RESOLVED, that Christopher Tamulonis be and hereby is appointed as an alternate to the Planning Board for a period of 4 years.

Motion to appoint an alternate Planning Board Member: Board Member Beephan. Seconded: Board Member Franco. All voted in favor. Motion carried.

5. Schedule Public Hearing for the First Amendment to the Map, Plan, and Report for the Town Wide Water Improvements regarding Revere Park for March 28, 2019

RESOLUTION
(SETTING A PUBLIC HEARING FOR WATER IMPROVEMENTS IN REVERE PARK)

WHEREAS, the Town Board previously adopted the Revere Park Water District; and

WHEREAS, the district is in need of some repairs; and

WHEREAS, it is the desire of the Town Board to hold a public hearing to consider the second amendment to the Map, Plan and Report for the Town Wide Water Improvements with regards to Revere Park Water District; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will conduct a Public Hearing at 7:00 p.m. on March 28, 2019 at its next regular Town Board meeting; and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is authorized to advertise notice of said Public Hearing.

Motion to schedule a Public Hearing for the First Amendment to the Map, Plan, and Report for the Town wide water improvements regarding Revere Park for March 28, 2019: Board Member Marinaro. Seconded: Board Member Franco. All voted in favor. Motion carried.

6. Authorizing police to attend an Active Threat Integrated Response Course March 11 – 13, 2019

RESOLUTION

(AUTHORIZING ATTENDANCE TO A TRAINING PROGRAM)

WHEREAS, the Chief of Police has indicated his desire to send one (1) Lieutenant and one (1) Police Officer to attend the Active Threat Integrated Response Course for Law Enforcement, the training will be from March 11-13, 2019 at 5900 Airport Road, Oriskany, NY 13424; and

WHEREAS, the expenses to the Town will be for tolls and meals

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the Police Chief to send one (1) Lieutenant and one (1) Police Officer to attend the training course from March 11-13, 2019 at 5900 Airport Road, Oriskany, NY 13424; and

BE IT FURTHER RESOLVED, that in addition to the cost of tolls and meals they shall be paid their normal salary during said period.

Motion authorizing police to attend an active Threat Integrated Response Course March 11, - March 13, 2019: Board Member Marinaro. Seconded: Board Member Franco. All voted in favor. Motion carried.

7. Authorize a Public Hearing on March 28, 2019 at 7 PM to consider the Adoption of a Local Law Regulating Traffic and Control Parking within the Town

RESOLUTION

(AUTHORIZING PARKING RESTRICTION)

WHEREAS, the Town Board wishes to streamline the Vehicle and Traffic Regulation process; and

WHEREAS, the Town Board wishes to amend the Vehicle and Traffic Regulations by resolution; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will conduct a Public Hearing at its regular meeting of March 28, 2019 at 7:00pm to consider the adoption of a Local Law entitled “Local Law ____ of 2019 regulating traffic control and parking within the Town; and

BE IT FURTHER RESOLVED, that the Town Clerk shall post and publish notice of said hearing.

Motion to authorize a Public Hearing on March 8, 2019 to consider the adoption of a local law regulating traffic and parking control within the Town: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

8. Authorize the purchase of a Police K-9 and Authorize the Supervisor to Sign the Contracts

RESOLUTION
(AUTHORIZE THE PURCHASE OF POLICE K-9)

WHEREAS, the Police Chief has requested the Town Board to authorize the purchase and training of a K-9 for the Police Department; and

WHEREAS, the K-9 will be coming from Shallow Creek Kennels, Inc. in the amount of \$13,000.00; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does authorize the Supervisor to execute an agreement for the purchase and training of the Police K-9 in the amount of \$13,000.00.

Motion to authorize the purchase of a police K-9 and authorize the Supervisor to sign the contracts: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Additions to the Agenday by Majorite Vote (if any) Budget Transfers

Comments from Town Board Members:

Board Member Marinaro thanked all the volunteer firefighters, the police, and the Highway Department for their response during the last months with storms. He also highlighted the past month of Police Department activity.

Board Member Beephan thanked the Town for allowing the Town Board and the professional staff to participate in the Association of Towns seminar. He also extended his sympathy to the Conti family for the loss of their family member.

Board Member Franco thanked the professionals, the first responders, and the Highway Department. He thanked the Supervisor for spearheading this zoning change.

Board Member Cassidy thanked the Highway Superintendent for staying on top of the snow. He stated Town Cleanup Day is March 30.

Highway Superintendent Williams stated that since the last workshop meeting, during the last storms people have kept their cars parked off of the roadways. That is appreciated. They were able to clean up all the trees that came down.

Chief of Police had nothing to report.

Motion for Adjournment: **Time:** Motion to adjourn the regular meeting at 8:45 PM: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

<u>Town Board Meetings:</u>	Workshop Meeting:	March 14, 2019
	Regular Meeting:	March 28, 2019

Respectfully submitted by Julie J. Beyer on behalf of Town Clerk Carol A. Hurray
–March 13, 2019